


Telephone inquiries regarding this decision should be directed to S. Joseph Morano, Supervisory Patent Examiner for Art Unit 3617, at (571) 272-6684. Telephone inquiries regarding the status of the claims and other examination related issues should be directed to the examiner of record, Jason Bellinger, at (571) 272-6680.



Robert J. Oberleitner
Director, Technology Center 3600
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SJM/KJD: 3/1/06



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RADER FISHMAN & GRAUER PLLC
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1233 20TH STREET N.W., SUITE 501
WASHINGTON, DC 20036

In re Application of KURAMORI ET AL.
Appl. No.: 10/509,229
Filed: September 24, 2004
For: Tire/Wheel Assembly

:
: **DECISION ON PETITION**
: **FROM RESTRICTION**
: **REQUIREMENT**
: *37 CFR 1.144*
:
:
:

This is a decision on the petition filed January 13, 2006 for supervisory review of an examiner's restriction requirement under 37 CFR 1.144. Petitioner requests the relief of withdrawal of the restriction requirement.

The petition is **Granted**.

In the instant application, restriction was required in the Office action of July 06, 2005 between two identified groups, Group I corresponding to claims 1-3 and Group II corresponding to claims 4-6. This requirement was made final in the Office action of October 31, 2005, although the examiner indicated in that Office action that all claims were going to be examined upon reconsideration. Since restriction is between distinct *claimed* inventions, and the examiner agreed that all of the claims pending at the time of the October 31, 2005 Office action read on a single (the "elected") invention, the restriction requirement should not have been made final. Petitioner is entitled to the relief requested, and the restriction requirement that was made final by the October 31, 2005 Office action is hereby withdrawn. It should be noted that this petition is being granted based on the fact that all claims pending at the time of the October 31, 2005 Office action are common to a single invention, and nothing in this decision precludes a potential future restriction requirement should the claims be amended at some point to distinctly claim more than one properly restrictable invention.

The application is being returned to the examiner for consideration of the amendment filed January 13, 2006.